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LEGISLATIVE HISTORY

Public Law 87-105
S. 1462

TABLE OF CONTENTS

Index and summary of S. 1462	1
Digest of Public Law 87-105	2

INDEX AND SUMMARY OF S. 1462

Mar. 29, 1961	Sen. Engle introduced S. 1462 which was referred to the Senate Interstate and Foreign Commerce Committee. Print of bill as introduced.
Apr. 12, 1961	Rep. Hagen of California introduced H. R. 6253 which was referred to the House Agriculture Committee. Print of bill as introduced.
May 16, 1961	Senate committee voted to report (but did not actually report) S. 1462.
May 23, 1961	Senate committee reported 1462 without amendment. S. Report No. 286. Print of bill and report.
May 26, 1961	Senate passed S. 1462 without amendment.
May 29, 1961	S. 1462 was referred to the House Agriculture Committee. Print of bill as referred.
Jun. 27, 1961	House committee voted to report (but did not actually report) H. R. 6253.
Jul. 10, 1961	House committee reported H. R. 6253 without amendment. H. Report No. 682. Print of bill and report.
Jul. 17, 1961	House passed S. 1462 without amendment in lieu of H. R. 6253.
Jul. 26, 1961	Approved: Public Law 87-105.

DIGEST OF PUBLIC LAW 87-105

GRAPES-AND-PLUMS STANDARDS. Authorizes the Secretary of Agriculture to establish minimum standards of quality for any variety of exported grapes and plums. The previous law did not permit such determinations by variety.

87TH CONGRESS
1ST SESSION

S. 1462

IN THE SENATE OF THE UNITED STATES

MARCH 29, 1961

Mr. ENGLE (for himself and Mr. KUCHEL) introduced the following bill;
which was read twice and referred to the Committee on Interstate and
Foreign Commerce

A BILL

To amend the Act of September 2, 1960 (74 Stat. 734), in
order to authorize the Secretary of Agriculture to establish
minimum standards of quality for any variety of grapes and
plums covered by such Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the first section of the Act of September 2, 1960 (74
4 Stat. 734), is amended by (1) inserting "of any variety"
5 immediately after "any grapes or plums", and (2) insert-
6 ing "for such variety" immediately after "established".

7 SEC. 2. Section 4 of such Act is amended to read as
8 follows:

9 "SEC. 4. The Secretary may, by regulation, exempt

1 from compliance with the provisions of this Act (1) any
 2 variety or varieties of grapes and plums, and (2) the ship-
 3 ment of such minimum quantities of grapes and plums to
 4 any foreign country as he may prescribe."

87TH CONGRESS
 1ST SESSION

S. 1462

A BILL

To amend the Act of September 2, 1960 (74 Stat. 734), in order to authorize the Secretary of Agriculture to establish minimum standards of quality for any variety of grapes and plums covered by such Act, and for other purposes.

By Mr. ENGLE and Mr. KUCHEL

MARCH 29, 1961

Read twice and referred to the Committee on
 Interstate and Foreign Commerce

87TH CONGRESS
1ST SESSION

H. R. 6253

IN THE HOUSE OF REPRESENTATIVES

APRIL 12, 1961

Mr. HAGEN of California introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend the Act of September 2, 1960 (74 Stat. 734), in order to authorize the Secretary of Agriculture to establish minimum standards of quality for any variety of grapes and plums covered by such Act, and for other purposes.

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87TH CONGRESS
 1ST SESSION

H. R. 6253

A BILL

To amend the Act of September 2, 1960 (74 Stat. 734), in order to authorize the Secretary of Agriculture to establish minimum standards of quality for any variety of grapes and plums covered by such Act, and for other purposes.

By Mr. HAGEN of California

APRIL 12, 1961

Referred to the Committee on Agriculture

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For Department
Staff Only)

CONTENTS

Issued May 17, 1961
For actions of May 16, 1961
87th-1st, No. 81

Administrative procedure.....	23		
Budget.....	13,20		
CCC.....	21		
Cotton.....	1		
Dairy products.....	21		
Education.....	3		
Food for peace.....	15		
Farm credit.....	3,19		
Farm labor.....	2,18		
Farm program.....	12		
Fiscal policies.....	11		
Forest lands.....	22		
Grapes and plums.....	6		
Housing.....	14		
Mining.....	5		
Natural resources.....	10		
Personnel.....	7,17		
Recreation.....	16		
Retirement.....	17		
Soil and water conservation.....	3		
Sugarbeets.....	9		
Textiles.....	4		
Urban affairs.....	14		
Vehicles.....	17		
Watersheds.....	21		

HIGHLIGHTS: House passed bill to authorize transfer of cotton acreage allotments in disaster areas. Rep. Sisk urged additional funds for soil and water conservation loans.

HOUSE

1. COTTON. Passed as reported H. R. 7030, to authorize the Secretary of Agriculture to permit producers to transfer to other land their 1961 cotton acreage allotments on lands which cannot be planted because of a natural disaster. p. 7550
2. MIGRATORY LABOR. Rep. Daniels said "one of our Nation's most socially and economically deprived groups is our migratory agricultural workers," and inserted an editorial "Hope for Migrants." p. 7573
3. FARM CREDIT. Rep. Sisk spoke on the farm credit emergency, saying "I refer to a complete lack of either public or private financing for essential soil and water conservation on farms ... immediate steps must be taken to make loan financing available." He also inserted a letter to John A. Baker and a reply by Secretary Freeman in which the Secretary stated that "budgetary needs and resources are under frequent review by this administration and if the President finds it possible to request additional funds in the future, I am confident that he will submit such a request to the Congress." pp. 7579-80
4. TEXTILES. Rep. Hemphill said "we were happy with the President's textile program ... because it was the first time in many years that the administration ... had given the concern we thought was necessary and proper to the problems of the textile people." p. 7581

Rep. Whitener said "I feel that unless others join with us in this battle the textile worker will become a vanishing breed in this country." pp. 7580-90

5. MINING. The Interior and Insular Affairs Committee reported with amendment H. R. 2924, extending the time in which to file adverse claims and institute adverse suits against mineral entries in Alaska (H. Rept. 394). p. 7607

SENATE

6. GRAPES AND PLUMS EXPORTS. The Commerce Committee voted to report (but did not actually report) S. 1462, to authorize the Secretary of Agriculture to establish minimum standards of quality for the exportation of any variety of grapes and plums. p. D352
7. PERSONNEL. The Commerce Department voted to report (but did not actually report) S. 1456, to authorize an additional Assistant Secretary of Commerce. p. D352
8. EDUCATION. Began debate on S. 1021, to authorize a program of Federal financial assistance for public education, including assistance for schools in federally impacted areas. pp. 7498-7527, 7539-48
9. SUGARBEET ALLOTMENTS. Received an Okla. Legislature resolution urging increase sugarbeet allotments for certain counties in the State. p. 7476
10. NATURAL RESOURCES. Received a Calif. Legislature resolution endorsing the proposals "in the President's message to Congress outlining his program for development of our natural resources," and urging speedy Congressional action on the proposals. pp. 7475-6
11. FISCAL POLICIES. Sen. Williams, Del., inserted a speech by Sen. Butler discussing U. S. fiscal policies, "The Financial Problem Confronting Us." pp. 7484-6

ITEMS IN APPENDIX

12. FARM PROGRAM. Extension of remarks of Rep. Cooley commending and inserting the Kiplinger Agricultural Letter discussing statements made by Mr. Shuman of the Farm Bureau opposing the proposed farm bill. pp. A3420-1
Extension of remarks of Sen. Humphrey commending the President and the Secretary "upon their foresight" in the development of the feed-grain program and inserting an editorial which "spells out" the purpose of the program. p. A3421
Extension of remarks of Rep. McIntire inserting an article, "NEA Survey Shows Many Changes Now Underway In Agriculture." pp. A3421-3
13. BUDGET. Extension of remarks of Sen. Kuchel favoring legislation which "would bring up for annual congressional scrutiny unobligated and unexpended carry-over funds in executive departments" and inserting an article on this subject. p. A3423
14. URBAN AFFAIRS; HOUSING. Extension of remarks of Rep. Anderson inserting an editorial commending with favor on a speech in opposition to the proposed establishment of a Dept. of Urban Affairs and Housing. pp. A3423-4

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For Department
Staff Only)

CONTENTS

Issued May 24, 1961
For actions of May 23, 1961
87th-1st, No. 86

Appropriations.....	26		
Assistant Secretary.....	6		
Claims.....	7		
Committee assignments.....	8		
Commodity exchanges.....	2		
Education.....	3, 20, 24		
Farm labor.....	13, 19		
Farm machinery.....	14		
Farm program.....	4, 18		
Federal-State relations.....	10		
Forestry.....	17		
Grapes and plums.....	1		
Housing.....	22		
Information.....	5		
Peace Corps.....	11		
Per diem.....	23	Textiles.....	12
River basins.....	9	Tractors.....	14
Small business.....	25	Transportation.....	15
Surplus food.....	16	Unemployment.....	21
Travel.....	23	Watersheds.....	17

HIGHLIGHTS: Sen. McCarthy and others introduced and Sen. McCarthy discussed bill to extend and modify Mexican farm labor program.

SENATE

1. GRAPES AND PLUMS EXPORTS. The Commerce Committee reported without amendment S. 1462, to authorize the Secretary of Agriculture to establish minimum standards of quality for the exportation of any variety of grapes and plums (S. Rept. 286). p. 8012
2. COMMODITY EXCHANGES. Both Houses received from this Department a proposed bill to amend the Commodity Exchange Act so as to provide for more effective regulation of futures trading on commodity exchanges; to H. Agriculture and S. Agriculture and Forestry Committees. pp. 8010, 3011
3. EDUCATION. Continued debate on S. 1021, to authorize a program for Federal financial assistance for public education, including assistance for schools in federally impacted areas. pp. 8026-37, 8041, 8044-62, 8066-69, 8070-82, 8035-8105, 8106-7
4. FARM PROGRAM. Sen. Proxmire inserted the testimony of the general manager and president of the Pure Milk Products Cooperative of Wisconsin before the S. Agriculture and Forestry Committee in support of the Administration farm bill and in which they state they "believe it to be basically the soundest and finest agricultural legislation to ever come before Congress." pp. 8109-11

5. INFORMATION. Sen. Carroll criticized secrecy in classifying certain information by Federal agencies and inserted an article by Sen. Proxmire, "Let's Stop Silly Secrecy in Government." p. 8042

HOUSE

6. LABOR. The Education and Labor Committee voted to report (but did not actually report) H. R. 6882, to provide for one additional Assistant Secretary of Labor. p. D379
7. CLAIMS. The Judiciary Committee voted to report (but did not actually report) H. R. 6835, to simplify the payments of certain miscellaneous judgments and the payments of certain compromise settlements against the U. S. p. D379
8. COMMITTEE ASSIGNMENTS. Rep. Schneebeli resigned from the Public Works Committee. Reps. Kunkel and Reece were elected to the Committee. p. 8005 . .

ITEMS IN APPENDIX

9. RIVER BASINS. Extension of remarks of Rep. Toll inserting a resolution from the Council of the City of Philadelphia "Memorializing the Congress of the United States and the Legislature of the Commonwealth of Pennsylvania to support and approve the proposed Delaware River Basin compact." pp. A3653-4
10. FEDERAL-STATE COOPERATION. Extension of remarks of Rep. Frazier inserting a speech on Federal, State, and municipal cooperation saying "There are ... Federal agencies ... which offer both financial and technical assistance in community development programs -- such as the ... Department of Agriculture." pp. A3656-9
11. PEACE CORPS. Extension of remarks of Sen. Humphrey inserting an article "Rooted in Past -- Peace Corps Study Sets Forth Guidelines." p. A3659
12. TEXTILES. Extension of remarks of Rep. Younger inserting an article from the Hong Kong Standard saying "A protectionist policy of quotas and import restrictions would not save the industry; they would merely make your textile factories progressively less competitive and increasingly less economical in relation with manufacturers in other countries." pp. A3659-60
13. FARM LABOR. Extension of remarks of Rep. Machrowicz inserting an article "Hope for Our Migrant Workers." pp. A3660-1
Speech in the House by Rep. Clem Miller during debate on the Mexican farm labor bill saying "The farmers in my district depend on Mexican migrant labor for about 30 percent of our crop." pp. A3669-70
14. FARM MACHINERY; TRACTORS. Extension of remarks of Sen. Randolph inserting a letter from the Tiger Tractor Corp. offering "to supply 500 to 1,200 small farm tractors to the Government of Cuba at the net cost and at no profit to Tiger Tractor ... Details to be worked out with Tractor for Freedom Committee." p. A3670
15. TRANSPORTATION. Extension of remarks of Rep. Anfuso on H. R. 5562, to provide for licensing independent ocean freight forwarders, inserting an article "The Forwarding Industry Must Not Be Destroyed." pp. A3673-4

EXPORT OF GRAPES AND PLUMS

MAY 23, 1961.—Ordered to be printed

Mr. ENGLE, from the Committee on Commerce, submitted the following

R E P O R T

[To accompany S. 1462]

The Committee on Commerce, to whom was referred the bill (S. 1462) to amend the act of September 2, 1960 (74 Stat. 734), in order to authorize the Secretary of Agriculture to establish minimum standards of quality for any variety of grapes and plums covered by such act, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of this bill is to amend the act of September 2, 1960 (74 Stat. 734), in order to authorize the Secretary of Agriculture to establish minimum standards of quality for any variety of grapes and plums covered by such act, and also to authorize the exemption from regulation of any such variety.

The act of September 2, 1960, was designed to promote the foreign trade of the United States in grapes and plums, to protect the reputation of American-grown grapes and plums in foreign markets, to prevent deception or misrepresentation as to the quality of such products moving in foreign commerce, and to provide for the commercial inspection of such products entering such commerce. The act made it unlawful for any person to ship or offer for shipment, or for any person or carrier to transport or receive for transportation to any foreign destination, grapes or plums, unless accompanied by a certificate showing that such products meet minimum quality requirements established by the Secretary of Agriculture.

The act currently provides for the establishment of such requirements for all grapes and plums subject thereto without regard to

variety and authorizes exemption only on the basis of minimum quantity.

Since the enactment of the act of September 2, 1960, and particularly in attempting to prescribe regulations under this act, the Secretary of Agriculture has determined that application of the same regulation to all varieties of grapes and plums would not be practical. The amendment would authorize the prescription by the Secretary of Agriculture of different standards and regulations for the several varieties of grapes and plums subject to the act. A single regulation for all varieties would be more restrictive on some varieties than on others, and possibly so restrictive as to effectively prohibit export of some varieties entirely.

COMMITTEE ACTION

Your committee, in executive session on May 16, 1961, determined that there was no necessity to hold hearings on this legislation. It appears that there is no opposition to this bill from any source, and your committee has not received any requests from interested parties who desire to testify.

The industry involved apparently favors enactment in order to give the Secretary of Agriculture additional authority to more equitably regulate the foreign trade of the United States of grapes and plums. The Secretary of Agriculture has recommended that this bill be approved.

Your committee is of the opinion that S. 1462 should be enacted.

AGENCY COMMENTS

The Comptroller General of the United States, the Secretary of the Treasury, the Secretary of State, and the Department of Justice offered no pertinent comments on S. 1462, since the legislation did not directly affect any of these agencies. The Secretary of Agriculture submitted the following report:

DEPARTMENT OF AGRICULTURE,
Washington, D.C., May 6, 1961.

HON. WARREN G. MAGNUSON,
Chairman, Committee on Interstate and Foreign Commerce, U.S. Senate.

DEAR SENATOR MAGNUSON: This is in reply to your letter of March 30, 1961, in which you transmitted a copy of S. 1462 to this Department for comments concerning this proposed legislation.

This Department recommends that this bill be enacted.

This bill would amend Public Law 86-687, Export Grape and Plum Act (74 Stat. 734), to authorize the establishment of minimum standards of quality for any variety of grapes and plums subject to this act. It would also authorize the exemption from regulation of any such variety. The act currently provides for the establishment of such requirements for all grapes and plums subject thereto without regard to variety and authorizes exemption only on the basis of minimum quantity.

In the consideration of regulations under the act, certain problems have come to light which indicate that application of the same regulation to all varieties of grapes and plums would not be practical at this time. It is indicated that such a regulation would be more

restrictive on some varieties than on others, and, in fact, so restrictive under certain circumstances as to prohibit export of some varieties entirely. This applies particularly to grapes.

The Emperor is the principal export variety of grapes produced in the United States. It is the leading variety exported to Western Europe. The adverse effect of shipping questionable quality grapes of this variety to England and Sweden generated the action which led to enactment of the act. It is to this variety that the industry is most desirous of applying regulation at this time. However, it is indicated that application of the minimum grade requirement desired for the Emperor variety would be unduly restrictive upon some of the other varieties of grapes subject to the act. Amendment of the act as proposed in S. 1462 would provide the flexibility needed in the act to deal with this problem.

When minimum quality requirements are made effective under the act, inspection and certification will be mandatory for the varieties to which such requirements are applicable. It is recognized that it will be necessary to distinguish between varieties in applying regulation on the basis of variety. This can best be done at point of origin, and this will have to be the primary point of enforcement. However, to facilitate identification of regulated varieties already packaged, and at points other than point of origin, it is anticipated that it will be necessary to require that individual packages be marked with the name of the variety and the grade of the fruit. The act authorizes the Secretary to prescribe, by regulations, requirements in addition to those of quality, which the fruit must meet before being certified for export. Hence, package marking and other requirements necessary to achieve the purposes of the act are provided for.

It is not anticipated that enactment of the proposed legislation would result in any additional cost of administration of the act. Under provisions of the act, the cost of mandatory inspection and certification would be defrayed by fees collected from the applicant. The bill would not change such provisions.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

ORVILLE L. FREEMAN.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported are shown as follows (new matter is printed in italics, existing law in which no change is proposed is shown in roman):

ACT OF SEPTEMBER 2, 1960 (74 STAT. 734)

SECTION 1. That it shall be unlawful for any person to ship or offer for shipment or for any carrier, or any steamship company, or any person to transport or receive for transportation to any foreign destination, except as provided in this Act, any grapes or plums *of any variety* in packages which are not accompanied by a certificate issued under authority of the Secretary showing that such grapes or

plums are of a Federal or State grade which meets the minimum of quality established *for such variety* by the Secretary for shipment in export. The Secretary is authorized to prescribe, by regulations, the requirements, other than those of grades, which the fruit must meet before certificates are issued * * *

* * * * *

SEC. 4. The Secretary may, by regulation, exempt from compliance with the provisions of this Act (1) *any variety or varieties of grapes and plums*, and (2) the shipment of such minimum quantities of grapes and plums to any foreign country as he may prescribe.

* * * * *

SEC. 9. That when used in this Act (2) the term "Secretary" means the Secretary of Agriculture.

* * * * *



Calendar No. 257

87TH CONGRESS
1ST SESSION

S. 1462

[Report No. 286]

IN THE SENATE OF THE UNITED STATES

MARCH 29, 1961

Mr. ENGLE (for himself and Mr. KUCHEL) introduced the following bill; which was read twice and referred to the Committee on Interstate and Foreign Commerce

MAY 23, 1961

Reported by Mr. ENGLE, without amendment

A BILL

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Calendar No. 257

87TH CONGRESS
1ST SESSION

S. 1462

[Report No. 286]

A BILL

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By Mr. ENGLE and Mr. KUCHEL

MARCH 29, 1961

Read twice and referred to the Committee on
Interstate and Foreign Commerce

MAY 23, 1961

Reported without amendment

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For Department
Staff Only)

CONTENTS

Issued May 29, 1961
For actions of May 26, 1961
87th-1st, No. 89

Adjournment.....	20
Appropriations.....	10,19
Assistant Secretary.....	5
Budgeting.....	3
Commodity exchanges.....	24
Farm labor.....	12,15
Farm machinery.....	22
Farm program.....	11
Food.....	1
Foreign aid.....	1,2,27
Forestry.....	25
Grapes and plums.....	14
Housing.....	9,19,21
Land.....	6
Legislative program.....	19
Livestock.....	16,18
Milk.....	27
Monopolies.....	26

Peace Corps.....	17
Personnel.....	5
Prices.....	18
Public Law 480.....	2
Publications.....	7
Rural affairs.....	13
School lunch.....	27
Surplus commodities.....	2
Surplus property.....	8
Taxation.....	16
Tobacco.....	4
Tractors.....	22
Transportation.....	23
White Fleet.....	1,2,28

HIGHLIGHTS: Senate received President's proposed foreign aid bill. Sen. Fulbright introduced and discussed this bill. Senate passed bill to provide for establishment of Joint Committee on the Budget. Senate committee reported bill to continue use of surplus commodities to assist underdeveloped areas. Sen. Williams, N. J., urged restrictions on use of Mexican farm labor. House committee voted to report housing bill.

SENATE

1. **FOREIGN AID.** Received from the President his proposed foreign aid bill; to Foreign Relations Committee (pp. 8469-70). Attached to this Digest are excerpts from the President's letter transmitting the proposed bill.

Sen. Humphrey urged support for the bill and stated that he would do his best "to see to it that our foreign aid program is put on a continuing, long-term basis, rather than operated as a year-by-year, hypodermic, prophylactic treatment which cures nothing." pp. 8524-5

Sen. Fulbright announced that hearings by the Foreign Relations Committee on the bill would begin Wed., May 31. p. 8476

The Foreign Relations Committee voted to report (but did not actually report) with an amendment in the nature of a substitute bill S. 324, to provide for the establishment of a White Fleet of ships to render emergency assistance, including food supplies, to people of other nations in case of disaster. p. D394

The Foreign Relations Committee voted to report without amendment S. Res. 128, expressing it as the sense of the Senate that the President should explore with other nations the establishment of an international food and raw materials reserve under the auspices of the United Nations and related international organizations for the purpose of acquiring and storing in foreign countries raw or processed farm products and other raw materials. p. D394

2. SURPLUS COMMODITIES; FOREIGN AID. The Foreign Relations Committee reported without amendment S. 1720, to continue the authority of the President under title II of Public Law 480 to utilize surplus agricultural commodities to assist needy peoples and to promote economic development in underdeveloped areas abroad (S. Rept. 290). p. 8470
3. BUDGETING. Passed without amendment S. 529, to amend the Legislative Reorganization Act of 1946 so as to provide for a Joint Committee on the Budget to evaluate the fiscal requirements of the executive agencies of the Government, etc. (pp. 8490-1). See Digest 83 for a summary of the bill.
4. TOBACCO. Passed without amendment H. R. 4940, to establish for scrap and filler tobacco originating in the Philippines certain requirements to be met before such tobacco can enter the U. S. free of duty. This bill will now be sent to the President. p. 8493
5. PERSONNEL. Passed without amendment S. 1456, to authorize an additional Assistant Secretary of Commerce. p. 8490
6. LAND. Passed without amendment S. 537, to amend the Surplus Property Act of 1944 so as to remove a technical restriction on the conveyance of surplus land for historic-monument purposes. p. 8491
7. PUBLICATIONS. Passed without amendment S. 540, to authorize agencies of the Federal Government to pay in advance for required publications. p. 8491
8. SURPLUS PROPERTY. Passed without amendment S. 796, to amend the Federal Property and Administrative Service Act so as to authorize the use of surplus property by State distribution agencies. p. 8492
9. HOUSING. Passed over, at the request of Sen. Muskie, S. 1922, the omnibus housing bill. p. 8494
10. TREASURY-POST OFFICE APPROPRIATION BILL, 1962. Passed over, at the request of Sen. Muskie, this bill, H. R. 5954. p. 5496
11. FARM PROGRAM. Sen. Symington inserted the testimony of Secretary Freeman before the S. Agriculture and Forestry Committee on May 3 in support of S. 1643, the farm bill. pp. 8479-83
12. FARM LABOR. The names of Sens. Hart, Proxmire, Dodd, Clark, Morse, Gruening, Kefauver, Case, N. J., Bartlett, Muskie, Long (Hawaii), and Burdick were added as cosponsors of S. 1945, to extend and amend the Mexican farm labor program. p. 8476
13. RURAL AFFAIRS. Passed without amendment S. 1869, to provide for the establishment of a commission on problems of small towns and rural counties. pp. 8494-5
14. GRAPES AND PLUMS. Passed without amendment S. 1462, authorizing the Secretary of Agriculture to establish minimum standards of quality for the exportation of any variety of grapes and plums. p. 8496
15. FARM LABOR. Sen. Williams, N. J., criticized the Mexican farm labor program, saying "providing foreign workers better protections than we accord American citizens raises the serious question of whether the rights and privileges of

(2) the capabilities of State, county, and local governments to meet such needs;

(3) the extent to which the Federal Government is assisting small towns and rural counties in meeting such needs;

(4) means for improved coordination of Federal, State, county, and local policies and programs that affect small towns and rural counties;

(5) possibilities available to the Federal Government to assist small towns and rural counties economically through a wider dispersal of Government procurement operations and in the location of Federal facilities; and

(6) such other matters as may be of assistance in solving the various problems of, and promoting the social and economic well-being of, the Nation's small-town and rural county areas.

(b) The Commission shall submit to the President and to the Congress on or before February 1, 1963, its findings and recommendations; and the Commission may also from time to time make to the President such interim reports as the President may request or as the Commission deems appropriate.

(c) The Commission shall cease to exist six months after submission to the President of its final report and recommendations.

POWERS OF THE COMMISSION

SEC. 4. (a) The Commission or, on the authorization of the Commission, any two or more members thereof, may, for the purposes of carrying out the provisions of this Act, hold such hearings and sit and act at such times and places, administer such oaths, and require, by subpoena or otherwise, the attendance and testimony of such witnesses, and the production of such books, records, correspondence, memorandums, papers, and documents as the Commission or such subcommittee may deem advisable. Subpenas may be issued under the signature of the Chairman of the Commission, or any duly designated member, and may be served by any person designated by such Chairman or member. The provisions of sections 102 to 104, inclusive, of the Revised Statutes (2 U.S.C. 192-194), shall apply in the case of any failure of any witness to comply with any subpoena or to testify when summoned under authority of this section.

(b) The Commission is authorized to secure from any department, agency, or independent instrumentality of the executive branch of the Government any information it deems necessary to carry out its functions under this Act; and each such department, agency, and instrumentality is authorized and directed to furnish such information to the Commission, upon request made by the Chairman, or the Vice Chairman when acting as Chairman.

APPROPRIATIONS, EXPENSES, AND PERSONNEL

SEC. 5. (a) There are hereby authorized to be appropriated such amounts as may be necessary to carry out the provisions of this Act.

(b) Members of the Commission shall receive no compensation for their services as such, but shall be reimbursed for travel, subsistence, and other necessary expenses incurred in the performance of duties vested in the Commission.

(c) The Commission may appoint and fix the compensation of such employees as it deems advisable without regard to the provisions of the civil service laws and the Classification Act of 1949, as amended.

(d) The Commission may procure, by contract or otherwise, the services of public or private organizations or institutions.

The preamble was agreed to.

ASSISTANCE TO REPATRIATED AMERICAN NATIONALS

The bill (S. 1229) to authorize the development of plans and arrangements for the provision of emergency assistance and the provision of such assistance to repatriated American nationals without available resources, and for other purposes was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act be cited as the "Emergency Repatriation Assistance Act of 1961".

DEVELOPMENT OF PLANS

SEC. 2. (a) The Secretary of Health, Education, and Welfare, after consultation with the Secretary of State and the Secretary of Defense, shall develop plans and make arrangements for providing temporary assistance within the United States to United States nationals and to dependents of United States nationals, if they (1) are identified by the Department of State as having returned, or been repatriated or otherwise brought, to the United States because of the destitution of the United States national or the illness of such national or any of his dependents or because of war, threat of war, invasion, or similar crisis, and (2) are without available resources.

(b) Such plans shall include provision for reimbursement to the United States by the recipients of the temporary assistance to cover the cost thereof, except in any class or classes of cases, set forth in regulations of the Secretary of Health, Education, and Welfare (hereinafter in this Act referred to as the "Secretary"), in which, in his judgement, such cost is not readily allocable to the individual recipient, such cost is so small as to make its recovery uneconomical, or recovery of such cost is for other reasons impractical, and except in cases in which the claim for such reimbursement is waived by the Secretary, in whole or in part, for good cause determined in accordance with regulations prescribed by him.

PROVISION OF ASSISTANCE

SEC. 3. (a) The Secretary is authorized to provide temporary assistance within the United States to individuals specified in section 2(a). To the extent feasible, such assistance shall be provided in accordance with the plans developed pursuant to section 2 as modified from time to time by the Secretary.

(b) The Secretary may provide such assistance directly or through utilization of the services and facilities of appropriate public or private agencies and organizations, in accordance with agreements. Section 3709 of the Revised Statutes, as amended (41 U.S.C. 5), shall not be applicable to any such agreement. An agreement with any such agency or organization under this subsection shall provide for payment to it, in advance or by way of reimbursement, as may be determined by the Secretary, of an amount equal to the cost to such agency or organization of carrying out the agreement. Such amount shall be determined by such statistical sampling, or other method as may be provided in the agreement.

DEFINITIONS

SEC. 4. For purposes of this Act, the term "temporary assistance" means money payments, medical care, temporary billeting, transportation, and other goods and services necessary for the health or welfare of individuals (including guidance, counseling, and other welfare services) furnished to them

within a period of not to exceed one year after the month following the month in which the recipient returns, or is repatriated or otherwise brought, as the case may be, to the United States.

APPROPRIATIONS

SEC. 5. There are authorized to be appropriated to the Department of Health, Education, and Welfare such sums as the Congress may determine for carrying out the purposes of this Act.

COMMISSION ON NOXIOUS AND OBSCENE MATTERS AND MATERIALS

The bill (S. 162) creating a commission to be known as the Commission on Noxious and Obscene Matters and Materials, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. FONG. Over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. MUNDT subsequently said: Mr. President, I was in the cloak room, answering a telephone call, at the time when Calendar No. 255, Senate bill 162, was before the Senate, during the call of the calendar. This bill proposes the creation of a Commission on Noxious and Obscene Matters and Materials. The bill was introduced by me, with the cosponsorship of a large number of Senators on both side of the aisle.

The bill deals with one of the most pernicious problems which confronts us on the domestic scene; it deals with probably the most repulsive and repugnant racket in this country—namely, the publication and distribution of salacious materials designed to corrupt the youth of America. This has a direct contributory influence on the great wave of juvenile delinquency which all of us deplore. I suspect that next to the narcotics racket, this one has done more to spawn criminals and to create crime than has any other influence in our country.

So, Mr. President, I regret very much that an objection was filed, so that the bill did not pass today, because time is running against us, and we cannot afford to permit lives to be ruined while Congress makes up its mind about what to do in this important field, where nothing effective has been done for some time.

At the last session, the Senate passed the bill, but did so at a very late hour in the session—in fact, so tardily that the House of Representatives did not have time to act on the bill during that session. I do not propose to let this happen again.

Therefore, Mr. President, I sincerely hope that at the next call of the calendar the bill will be passed. But if objection is then made, I now serve notice on the Senate—and in this connection I shall consult the leadership, and I am sure the leadership will cooperate—that I will then move that the bill be considered by the Senate. I feel such action on my part will be necessary to assure that the Senate can then take the time to debate the bill and to discuss the problems in connection with it, in order to be sure

that passage of the bill will occur in sufficient time this year, so that Congress will not adjourn before the enactment of this important legislation.

ISSUANCE OF GOLD MEDAL TO BOB HOPE

The Senate proceeded to consider the joint resolution (S.J. Res. 88) authorizing the issuance of a gold medal to Bob Hope, which had been reported from the Committee on Banking and Currency, with an amendment, on page 3, line 1, after the word "President.", to insert "There is hereby authorized to be appropriated the sum of \$2,500 for this purpose.", so as to make the joint resolution read:

Resolved by the Senate and House of Representatives of United States of America in Congress assembled, That the President is authorized to present in the name of the people of the United States of America a gold medal of appropriate design to Bob Hope in recognition of his aforesaid services to his country and to the cause of world peace.

The Secretary of the Treasury shall cause such a medal to be struck and furnished to the President. There is hereby authorized to be appropriated the sum of \$2,500 for this purpose.

The amendment was agreed to.

The joint resolution, as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

The preamble was agreed to.

MINIMUM STANDARDS OF QUALITY FOR GRAPES AND PLUMS

The bill (S. 1462) to amend the act of September 2, 1960, in order to authorize the Secretary of Agriculture to establish minimum standards of quality for any variety of grapes and plums covered by such act, and for other purposes was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act of September 2, 1960 (74 Stat. 734), is amended by (1) inserting "of any variety" immediately after "any grapes or plums", and (2) inserting "for such variety" immediately after "established".

SEC. 2. Section 4 of such Act is amended to read as follows:

"SEC. 4. The Secretary may, by regulation, exempt from compliance with the provisions of this Act (1) any variety or varieties of grapes and plums, and (2) the shipment of such minimum quantities of grapes and plums to any foreign country as he may prescribe."

AMENDMENT OF ATOMIC ENERGY COMMUNITY ACT OF 1955

The bill (S. 1622) to amend the Atomic Energy Community Act of 1955 was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Atomic Energy Community Act of 1955 is

amended in the following respect: Amend section 53c. by striking therefrom the words "one year" and substituting in place thereof the words "ninety days".

CONSTRUCTION OF COMMUNITY SUPPORT FACILITIES AT LOS ALAMOS COUNTY, N. MEX.

The bill (S. 1941) to authorize construction of community support facilities at Los Alamos County, N. Mex., was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Atomic Energy Commission is authorized with funds presently available or otherwise made available to it to construct (under the applicable provisions of chapter 14 of the Atomic Energy Act of 1954, as amended) community support facilities at White Rock, Los Alamos County, New Mexico, at a total cost not to exceed \$300,000, and for that purpose there is authorized to be appropriated such sums as may be necessary.

CONCURRENT RESOLUTION AND BILL PASSED OVER

The concurrent resolution (S. Con. Res. 25) concerning the enforcement in certain States of the Constitution and laws for the protection of individual rights was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

Mr. MUSKIE. Over.

The PRESIDING OFFICER. The concurrent resolution will be passed over.

The bill (H.R. 5954) making appropriations for the Treasury and Post Office Departments, and the Tax Court of the United States for the fiscal year ending June 30, 1962, and for other purposes was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MUSKIE. Over.

The PRESIDING OFFICER. The bill will be passed over.

That completes the call of the calendar.

IMPORTATION OF AMERICAN FARM LABOR

Mr. WILLIAMS of New Jersey. Mr. President, the underemployment and underemployment of our domestic farm workers are of paramount concern to our new administration. They are also of paramount concern to the Subcommittee on Migratory Labor, which has been studying these and related farm worker problems to determine the feasibility of establishing a national program to meet the critical needs in this area. My work with these problems, as chairman of this subcommittee, has convinced me that one of the most urgent problems facing agricultural workers generally, and migratory agricultural workers particularly, is the effect of the Mexican national importation program on the employment opportunities of domestic agricultural workers.

In 1951, shortly after the beginning of the Korean conflict, the Congress enacted Public Law 78, which provides for the importation of Mexican nationals for the purpose of temporary agricultural employment in the United States. Public Law 78, generally known today as the bracero program, was intended as an emergency measure to meet labor shortages during the Korean crisis. Our experience in this area strongly suggests that the efficacy of Public Law 78 in supplementing our farm labor force is far overshadowed by its limiting effect on the employment opportunities of our own domestic farm workers. The national crisis and the resulting shortages, which Public Law 78 was designed to meet, no longer exist. But Public Law 78 continues to supplement our domestic farm labor force to a far greater extent than is now economically practical or necessary.

Secretary of Labor Arthur J. Goldberg has estimated that underemployment in rural areas is equivalent to 1,400,000 fully unemployed workers. Despite this high rate of underemployment, 315,000 Mexican nationals were imported into the United States last year under the provisions of Public Law 78. From this high rate of rural underemployment among our own citizens, it logically follows that many jobs performed by braceros could well have been performed by domestic farmworkers.

As if this situation were not in itself serious enough, we are faced with the irony that Public Law 78 gives better protection to Mexican national farm laborers than we now accord our own citizens engaged in agricultural work. The contract governing the employment of braceros provides them with workmen's compensation, free housing while at employment centers, free transportation from Mexican migrant stations to reception centers in the United States, guarantees of minimum work periods, and guarantees of wages not less than the prevailing wages paid to domestic farmworkers for similar work within the area of employment.

This extremely unfortunate and undesirable situation convinces me that Public Law 78 should not be extended unless measures are provided to prevent its effect of limiting the employment opportunities of our domestic farmworkers. I am confident that the Senate in its wisdom will arrive at a solution to the problems in this area which will be in the best interests of all concerned.

A bill, S. 1129, closely related to the heart of this problem, is now pending before the Subcommittee on Migratory Labor. This bill, which is designed to stabilize and insure an adequate, well-trained domestic farm labor force, would provide for improved programs of recruitment, transportation, and distribution of domestic agricultural workers and assurances and guarantees respecting the rights and obligations of agricultural employers and employees using the recruitment program. The creation of a more stable and efficient domestic farm labor force would have a tendency to alleviate the adverse effects of Public

87TH CONGRESS
1ST SESSION

S. 1462

IN THE HOUSE OF REPRESENTATIVES

MAY 29, 1961

Referred to the Committee on Agriculture

AN ACT

To amend the Act of September 2, 1960 (74 Stat. 734), in order to authorize the Secretary of Agriculture to establish minimum standards of quality for any variety of grapes and plums covered by such Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the first section of the Act of September 2, 1960 (74
4 Stat. 734), is amended by (1) inserting “of any variety”
5 immediately after “any grapes or plums”, and (2) insert-
6 ing “for such variety” immediately after “established”.

7 SEC. 2. Section 4 of such Act is amended to read as
8 follows:

9 “SEC. 4. The Secretary may, by regulation, exempt

1 from compliance with the provisions of this Act (1) any
2 variety or varieties of grapes and plums, and (2) the ship-
3 ment of such minimum quantities of grapes and plums to
4 any foreign country as he may prescribe.”

Passed the Senate May 26, 1961.

Attest:

FELTON M. JOHNSTON,

Secretary.

AN ACT

To amend the Act of September 2, 1960 (74 Stat. 734), in order to authorize the Secretary of Agriculture to establish minimum standards of quality for any variety of grapes and plums covered by such Act, and for other purposes.

MAY 29, 1961

Referred to the Committee on Agriculture

10. PUBLIC DEBT. Reps. Dominick and Battin criticized the proposal to raise the public debt limit. pp. 10666-7
21. PERSONNEL. The Post Office and Civil Service Committee reported with amendments H. R. 2555, to provide for allotment and advancement of pay with respect to civilian employees of the U. S. in cases of emergency evacuation in oversea areas (H. Rept. 584). p. 10668
The Rules Committee reported a resolution for consideration of H. R. 6141, to amend the act of September 1, 1954, in order to limit to cases involving the national security the prohibition on payment of annuities and retired pay to officers and employees of the U. S. p. 10668
22. WATERSHEDS. The Agriculture Committee voted to report with amendments (but did not actually report) H. R. 3462, to amend the Watershed Protection and Flood Prevention Act to permit certain new organizations to sponsor works of improvement thereunder. p. D511
23. GRAPES AND PLUMS. The Agriculture Committee voted to report (but did not actually report) H. R. 6253, to permit exemption of certain grapes and plums from the act of September 2, 1960, requiring standards for exported grapes and plums. p. D511
24. EDUCATION. The Education and Labor Committee "Met in executive session and ordered a clean bill introduced in the House in lieu of H. R. 6774, to extend and improve the National Defense Education Act." p. D511
25. DELAWARE RIVER BASIN. The Rules Committee granted a rule for the consideration of H. J. Res. 225, to grant the consent of Congress to the Delaware River Basin Compact. p. D512
26. LEGISLATIVE PROGRAM. Rep. McCormack announced that the conference report on the housing bill will be considered today, June 28, and probably H. R. 7678, to amend the Tariff Act of 1930 to provide for the free importation of wild animals and wild birds which are intended for exhibition in the U. S. (p. 10660). Agreed to consider the D. C. appropriation bill Wed., July 12 (p. 10641).

ITEMS IN APPENDIX

27. ELECTRIFICATION. Extension of remarks of Rep. Van Zandt inserting an editorial, "Public Power Advocates Wedge Into A-Energy Field." pp. A4830-2
28. RESEARCH. Extension of remarks of Sen. Anderson inserting two articles favoring expansion and development of saline water conversion programs. pp. A4832-3
29. SOCIAL SECURITY. Extension of remarks of Rep. Marshall inserting an article, "Social Security Gives Farm People Independence," and stating that it is an interesting study on the attitude of farmers toward social security. pp. A4836-7
30. BUDGET; PUBLIC DEBT. Speech in the House by Rep. Udall during debate on the bill to increase the public debt limit. pp. A4842-4
31. PERSONNEL. Extension of remarks of Rep. Daddario commending and inserting a review of Dr. Earl Lindveit's book, "Scientists in Government." p. A4845

7. EDUCATIONAL EXCHANGES. Began debate on S. 1154, to provide for the improvement and strengthening of the educational and cultural exchange program. pp. 10576, 10580-5
8. EDUCATION. Sen. Mundt and others urged enactment of legislation to extend the program of Federal aid to schools in Federally-impacted areas. pp. 10552-3
9. FOREIGN TRADE. Sen. Javits inserted a newspaper article, "New Policy Due on Foreign Trade," stating that "The Kennedy Administration must soon get to work on the detailed drafting of its own foreign trade policy." pp. 10556-7
10. AREA REDEVELOPMENT. Sen. Ervin inserted his statement commending the area redevelopment program. p. 10559
11. HOUSING. Sen. Sparkman commended the conference report on the housing bill and urged early consideration of the report. pp. 10596-7
Sen. Bush criticized the conference report on the housing bill and urged the Senate to reject the report and instruct the Banking and Currency Committee to report "to the floor a new housing bill which recognizes the need for fiscal prudence in domestic programs." pp. 10615-7
12. NOMINATION. Received the nomination of Robert E. Hampton to be a Civil Service Commissioner. p. 10619
13. LEGISLATIVE PROGRAM. Sen. Mansfield announced that the conference report on the housing bill, and H. R. 7677, to increase the public debt limit, will be considered today, and that S. 1154, the educational exchange bill, will be considered on Thurs. p. 10610

HOUSE

14. HOUSING; FARM LOANS. Received the conference report on S. 1922, the omnibus housing bill (H. Rept. 602), retaining the Senate amendment making lessees of farmland eligible for farm housing assistance under title V of the Housing Act of 1949. For additional items of interest to this Department, see Digest 95. pp. 10644-60, 10668
15. VETERANS' LOANS. Agreed to the Senate amendment, with an amendment by Rep. Teague, Tex., on H. R. 5723, to extend the veterans' guaranteed and direct home loan program. pp. 10620-1
16. APPROPRIATIONS. Began debate on H. R. 7851, the Defense appropriation bill. pp. 10621-43
The Appropriations Committee was granted until midnight Mon., July 10, to file a report on the D. C. appropriation bill. p. 10644
17. ATOMIC ENERGY. The Rules Committee reported a resolution for consideration of H. R. 7576, to authorize appropriations for the Atomic Energy Commission. p. 10668
18. WATER POLLUTION CONTROL. Conferees were appointed on H. R. 6441, to amend the Federal Water Pollution Control Act to provide for a more effective program of water pollution control. Senate conferees have already been appointed. pp. 10643-4
19. RECLAMATION. Rep. Aspinall discussed the Federal reclamation programs and said, "Reclamation farms are more than twice as productive, acre for acre, as other farms." pp. 10662-5

10. SURPLUS COMMODITIES. Passed without amendment S. 1720, to make permanent the authority of the President under title II of the Agricultural Trade Development and Assistance Act of 1954 (Public Law 480), as amended, to utilize surplus agricultural commodities to assist needy peoples and to promote economic development in underdeveloped areas of the world. This bill will now be sent to the President. p. 11315
11. SURPLUS PROPERTY. Passed without amendment S. 537, to amend the Surplus Property Act of 1944 to revise a restriction on the conveyance of surplus land for historic-monument purposes. This bill will now be sent to the President. p. 11322
Passed without amendment S. 796, to amend the Federal Property and Administrative Services Act of 1949, as amended, so as to authorize the use of surplus personal property by State distribution agencies. This bill will now be sent to the President. p. 11316
12. PUBLICATIONS. Passed without amendment S. 540, to authorize agencies of the Government of the United States to pay in advance for required publications. This bill will now be sent to the President. p. 11316
13. ASSISTANT SECRETARIES. Reps. Gross, Weaver, and Ford, objected to the consideration of H. R. 6882, to provide for one additional Assistant Secretary of Labor, and the bill was stricken from the Consent Calendar. p. 11312
14. MIGRATORY WATERFOWL. Passed without amendment H. R. 7391, to promote the conservation of migratory waterfowl by the acquisition of wetlands and other essential waterfowl habitat. pp. 11358-62
15. PERSONNEL. Passed over without prejudice H. R. 7043, to amend the salary retention provisions of the Classification Act of 1949 so as to include statutory salary increases in the retained rates of employees involved in downgradings, and to make ineligible for salary retention protection an employee whose reduction to his existing grade is a condition of his temporary promotion to a higher grade. p. 11314
Passed over without prejudice H. R. 2555, to provide for allotment and advancement of pay with respect to civilian employees of the U. S. in cases of emergency evacuations in oversea areas. p. 11317
16. PUBLIC LANDS; FORESTRY. Passed as reported H. R. 6067, to provide for an appropriation of not to exceed \$35,000 with which to make a survey of a proposed national parkway from the Blue Ridge Parkway at Tennessee Bald or Beech Gap southwest and running into Georgia (the proposed parkway would traverse certain national forest lands). pp. 11320-1
Passed without amendment H. R. 7042, to add 1,040 acres of land in the Lassen National Forest to the Lassen Volcanic National Park, Calif. p. 11322
17. GRAPES AND PLUMS. The Agriculture Committee reported without amendment H. R. 6253, to establish minimum standards of quality for any variety of grapes and plums (H. Rept. 682). p. 11378
18. IRRIGATION. The Interior and Insular Affairs Committee reported without amendment H. R. 7596, to authorize the Secretary of the Interior to construct, operate, and maintain the Navajo Indian irrigation project and the initial stage of the San Juan-Chama project as participating projects of the Colorado River storage project (H. Rept. 685). p. 11379

19. VOCATIONAL RETRAINING. Rep. Curtis, Mo., inserted an article, "The Hard Realities of Retraining." pp. 11366-8

ITEMS IN APPENDIX

20. PRICES. Extension of remarks of Sen. Capehart inserting an article, "Who's To Blame For The High Cost Of Living?" p. A5075
21. EXPENDITURES. Extension of remarks of Rep. Ford inserting an editorial embodying a statement by Rep. Griffin on "back-door spending." pp. A5075-6
22. FARM PROGRAM. Extension of remarks of Rep. Michel inserting an editorial criticizing the proposed farm bill. p. A5086
Extension of remarks of Rep. Rousselot stating that "stories about extravagant agricultural subsidies are legion," and inserting an article, "Farmer Buys Cadillac To Rib Crop Control." p. A5087
Extension of remarks of Rep. Conte inserting an editorial, "The Freeman Wailing Wall." p. A5104
Extension of remarks of Rep. Beckworth inserting various tabulations on price support loans, and the number of farms reporting harvested acres. pp. A5132-40
Extension of remarks of Rep. Derwinski criticizing the proposed farm bill and inserting two articles on this subject. p. A5140
23. ELECTRIFICATION. Extension of remarks of Sen. Hartke inserting five prize winning essays on "What Rural Electrification Means To My Community." pp. A5094-7
Extension of remarks of Rep. Hollifield favoring and Rep. Hosmer opposing the proposed provision in the AEC authorization bill to establish the new production reactor at Hanford, Wash. pp. A5099-103, A5130-2
24. ECONOMICS. Extension of remarks of Sen. Hartke inserting Labor Secretary Goldberg's letter commenting on the administration's economic programs and stating that it is "an answer to political charges that they are retreads and modifications of old programs." p. A5109
25. FOREIGN AID. Extension of remarks of Rep. Albert inserting an article, "Foreign Aid -- Persuasive Reasons for Approval." p. A5125
26. RESEARCH. Extension of remarks of Sen. Smith inserting an outline of the study made by the National Science Foundation as to national needs in scientific research and education during the next 10 years. pp. A5126-7

BILLS INTRODUCED

27. LANDS. S. 2213, by Sen. Gruening (for himself and Sen. Bartlett), to convey the interest of the United States in certain land to the city of Sitka, Alaska; to Interior and Insular Affairs Committee.
S. 2219, by Sen. Bible (by request), to authorize the classification, segregation, lease, and sale of public land for urban, business, and occupancy sites to repeal obsolete statutes; to Interior and Insular Affairs Committee.
28. RESEARCH. H. R. 8046, by Rep. St. George, to provide for the establishment, under the National Science Foundation, of a National Science Academy; to Science and Astronautics Committee.

AMENDMENT TO GRAPE AND PLUM EXPORT ACT

JULY 10, 1961.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. COOLEY, from the Committee on Agriculture, submitted the following

REPORT

[To accompany H.R. 6253]

The Committee on Agriculture, to whom was referred the bill (H.R. 6253) to amend the act of September 2, 1960 (74 Stat. 734), in order to authorize the Secretary of Agriculture to establish minimum standards of quality for any variety of grapes and plums covered by such act, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE

The purpose of this bill is to make a technical amendment in the act of September 2, 1960, authorizing the Secretary of Agriculture to establish and enforce grade standards for grapes and plums exported from the United States.

The law was enacted at the request of the grape and plum industry in order to improve the quality of these commodities which go into the export trade. The amendment will make it clear that the Secretary may establish different standards for different varieties of grapes and plums or may omit prescribing standards for some varieties if their movement in international trade is inconsequential.

COST

There would be no additional cost to the Government as the result of the enactment of this legislation. The cost of the mandatory inspection of grapes and plums moving into the export trade is defrayed by fees collected from the exporter and the bill makes no change in this provision.

DEPARTMENTAL APPROVAL

Following is the letter from the Secretary of Agriculture recommending enactment of H.R. 6253 and discussing in some detail the need for the legislation.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., May 6, 1961.

HON. HAROLD D. COOLEY,
Chairman, Committee on Agriculture,
House of Representatives.

DEAR CONGRESSMAN COOLEY: This is in reply to your letter of April 17, 1961, in which you transmitted a copy of H.R. 6253 to this Department for comments concerning this proposed legislation.

This Department recommends that this bill be enacted.

This bill would amend Public Law 86-687, Export Grape and Plum Act (74 Stat. 734), to authorize the establishment of minimum standards of quality for any variety of grapes and plums subject to this act. It would also authorize the exemption from regulation of any such variety. The act currently provides for the establishment of such requirements for all grapes and plums subject thereto without regard to variety and authorizes exemption only on the basis of minimum quantity.

In the consideration of regulations under the act, certain problems have come to light which indicate that application of the same regulation to all varieties of grapes and plums would not be practical at this time. It is indicated that such a regulation would be more restrictive on some varieties than on others, and, in fact, so restrictive under certain circumstances as to prohibit export of some varieties entirely. This applies particularly to grapes.

The Emperor is the principal export variety of grapes produced in the United States. It is the leading variety exported to Western Europe. The adverse effect of shipping questionable quality grapes of this variety to England and Sweden generated the action which led to enactment of the act. It is to this variety that the industry is most desirous of applying regulation at this time. However, it is indicated that application of the minimum grade requirement desired for the Emperor variety would be unduly restrictive upon some of the other varieties of grapes subject to the act. Amendment of the act as proposed in H.R. 6253 would provide the flexibility needed in the act to deal with this problem.

When minimum quality requirements are made effective under the act, inspection and certification will be mandatory for the varieties to which such requirements are applicable. It is recognized that it will be necessary to distinguish between varieties in applying regulation on the basis of variety. This can best be done at point of origin, and this will have to be the primary point of enforcement. However, to facilitate identification of regulated varieties already packaged, and at points other than point of origin, it is anticipated that it will be necessary to require that individual packages be marked with the name of the variety and the grade of the fruit. The act authorizes the Secretary to prescribe, by regulations, requirements in addition to those of quality, which the fruit must meet before being certified for export. Hence, package marking and other requirements necessary to achieve the purposes of the act are provided for.

It is not anticipated that enactment of the proposed legislation would result in any additional cost of administration of the act. Under provisions of the act, the cost of mandatory inspection and certification would be defrayed by fees collected from the applicant. The bill would not change such provisions.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

ORVILLE L. FREEMAN, *Secretary*.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as introduced, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

Public Law 86-687

86th Congress, S. 1857

September 2, 1960

AN ACT To promote the foreign trade of the United States in grapes and plums, to protect the reputation of American-grown grapes and plums in foreign markets, to prevent deception or misrepresentation as to the quality of such products moving in foreign commerce, to provide for the commercial inspection of such products entering such commerce, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be unlawful for any person to ship or offer for shipment or for any carrier, or any steamship company, or any person to transport or receive for transportation to any foreign destination, except as provided in this Act, any grapes or plums *of any variety* in packages which are not accompanied by a certificate issued under authority of the Secretary showing that such grapes or plums are of a Federal or State grade which meets the minimum of quality established *for such variety* by the Secretary for shipment in export. The Secretary is authorized to prescribe, by regulations, the requirements, other than those of grades, which the fruit must meet before certificates are issued. The Secretary shall provide opportunity, by public hearing or otherwise, for interested persons to examine and make recommendation with respect to any standard of export proposed to be established or designated, or regulation prescribed, by the Secretary for the purposes of this Act.

SEC. 2. The Secretary shall give reasonable notice through one or more trade papers of the effective date of standards of export established or designated by him under this Act: *Provided*, That any grapes or plums may be certified and shipped for export in fulfillment of any contract made within two months prior to the date of such shipment if the terms of such contract were in accordance with the grades and regulations of the Secretary in effect at the time the contract was made.

SEC. 3. Where the government of the country to which the shipment is to be made has standards or requirements as to condition of grapes

and plums the Secretary may in addition to inspection and certification for compliance with the standards established or designated hereunder inspect and certify for determination as to compliance with the standards or requirements of such foreign government and may provide for special certificates in such cases.

SEC. 4. The Secretary may, by regulation, exempt from compliance with the provisions of this Act (1) *any variety or varieties of grapes and plums*, and (2) the shipment of such minimum quantities of grapes and plums to any foreign country as he may prescribe.

SEC. 5. For inspecting and certifying the grade, quality, or condition of grapes or plums the Secretary shall cause to be collected a reasonable fee which shall, as nearly as may be, cover the cost of the service rendered: *Provided*, That when cooperative arrangements satisfactory to the Secretary, or his designated representatives, for carrying out the purposes of this Act cannot be made the fees collected hereunder in such cases shall be available until expended to defray the cost of the service rendered, and in such cases the limitations on the amounts expended for the purchase and maintenance of motor-propelled passenger-carrying vehicles shall not be applicable: *Provided further*, That certificates issued by the authorized agents of the United States Department of Agriculture shall be received in all courts of the United States as prima facie evidence of the truth of the statements therein contained.

SEC. 6. After opportunity for hearing the Secretary is authorized to refuse the issuance of certificates under this Act for periods not exceeding ninety days to any person who ships or offers for shipment any grapes or plums in foreign commerce in violation of any of the provisions of this Act. Any person or any common carrier or any transportation agency violating any of the provisions of this Act shall be fined not less than \$100 nor more than \$10,000 by a court of competent jurisdiction.

SEC. 7. The Secretary may make such rules, regulations, and orders, and require such reports, as may be necessary to carry out the provisions of this Act, and may cooperate with any department or agency of the Government, any State, Territory, District, or possession, or department, agency, or political subdivision thereof, or any person, whether operating in one or more jurisdictions; and shall have the power to appoint, remove, and fix the compensation of such officers and employees not in conflict with existing law, and make such expenditures for rent outside the District of Columbia, printing, binding, telegrams, telephones, law books, books of reference, publications, furniture, stationery, office equipment, travel, and other supplies and expenses including reporting services, as shall be necessary to the administration of this Act in the District of Columbia and elsewhere, and as may be appropriated for by Congress. This Act shall not abrogate nor nullify any other statute, whether State or Federal, dealing with the same subjects as this Act; but it is intended that all such statutes shall remain in full force and effect except insofar as they are inconsistent herewith or repugnant hereto.

SEC. 8. If any provision of the Act or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the Act and of the application of such provision to other persons and circumstances shall not be affected thereby.

SEC. 9. That when used in this Act—

(1) The term “person” includes individuals, partnerships, corporations, and associations.

(2) The term “Secretary” means the Secretary of Agriculture.

(3) Except as provided herein, the term “foreign commerce” means commerce between any State, or the District of Columbia, and any place outside of the United States or its possessions.

(4) The term “grapes” means vinifera species table grapes, European type, whether or not they have been in storage.

(5) The term “plums” means both European and Japanese type, whether or not they have been in storage, but does not mean Italian-type prunes, nor damson-type plums.

Approved September 2, 1960.

○

Union Calendar No. 247

87TH CONGRESS
1ST SESSION

H. R. 6253

[Report No. 682]

IN THE HOUSE OF REPRESENTATIVES

APRIL 12, 1961

Mr. HAGEN of California introduced the following bill; which was referred to the Committee on Agriculture

JULY 10, 1961

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To amend the Act of September 2, 1960 (74 Stat. 734), in order to authorize the Secretary of Agriculture to establish minimum standards of quality for any variety of grapes and plums covered by such Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the first section of the Act of September 2, 1960 (74
4 Stat. 734), is amended by (1) inserting “of any variety”
5 immediately after “any grapes or plums”, and (2) insert-
6 ing “for such variety” immediately after “established”.

7 SEC. 2. Section 4 of such Act is amended to read as
8 follows:

9 “SEC. 4. The Secretary may, by regulation, exempt

1 from compliance with the provisions of this Act (1) any
 2 variety or varieties of grapes and plums, and (2) the ship-
 3 ment of such minimum quantities of grapes and plums to
 4 any foreign country as he may prescribe.”

A BILL

To amend the Act of September 2, 1960 (74 Stat. 734), in order to authorize the Secretary of Agriculture to establish minimum standards of quality for any variety of grapes and plums covered by such Act, and for other purposes.

By Mr. HAGEN of California

APRIL 12, 1961

Referred to the Committee on Agriculture

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10. WHEAT. Passed without amendment S. J. Res. 116, to extend until Aug. 26, 1961, the time for conducting the referendum with respect to the national marketing quota for wheat for the marketing year beginning July 1, 1962. This bill will now be sent to the President. p. 11795
11. CENTENNIALS. By a vote of 367 to 12, passed under suspension of the rules H. J. Res. 435, to provide for recognition of the centennial of the establishment of the Department of Agriculture. pp. 11809-15
Passed without amendment H. J. Res. 436, to provide for recognition of the centennial of the establishment of the national system of land-grant universities and colleges. pp. 11798-9
12. GRAPES AND PLUMS. Passed without amendment S. 1462, to authorize the Secretary of Agriculture to establish minimum standards of quality for any variety of grapes and plums. This bill will now be sent to the President. A similar bill, H. R. 6253, was tabled. p. 11804
13. WATERSHEDS. Passed with amendment S. 650, to amend the Watershed Protection and Flood Prevention Act so as to permit any irrigation or reservoir company, water users' association, or similar organization having such authority and not being operated for profit, that may be approved by the Secretary of Agriculture to sponsor works of improvement. A similar bill, H. R. 3462, was tabled. pp. 11803-4
14. PERSONNEL. Passed as reported H. R. 7043, to extend to employees subject to the Classification Act of 1949 the benefits of salary increases in connection with the protection of basic compensation rates from the effects of downgrading actions. pp. 11800-1
By a vote of 285 to 86, passed under suspension of the rules H. R. 2555, to authorize pay with respect to civilian employees of the United States in cases of emergency evacuations, and to consolidate the laws governing allotment and assignment of pay by such employees. pp. 11815-20
15. LIBRARIES. The House Administration Committee reported without amendment H. R. 8141, to revise the laws relating to depository libraries (H. Rept. 724). p. 11851
16. RURAL DEVELOPMENT. Rep. Patman discussed the "Housing Act's community facilities provisions, which were designed especially to help improve the economic structures of our smaller communities." pp. 11825-6

ITEMS IN APPENDIX

17. LANDS. Extension of remarks of Rep. Durno discussing programs of the Bureau of Land Management and their study now going on "looking toward the improvement in grazing lands ..." pp. A5335-6
18. ELECTRIFICATION. Extension of remarks of Rep. Evins inserting his newsletter, "The President, TVA, and the Public Interest." p. A5336
19. FOREIGN AID. Extension of remarks of Reps. Derounian and Pelly inserting an article, "Another Aid Deluge?" pp. A5340, A5397-8
Extension of remarks of Rep. McCormack and Sen. Humphrey inserting an address by George Meany, AFL-CIO, "Foreign Aid and Freedom," in support of the administration's foreign aid program. pp. A5350-1, A5364-5

Extension of remarks of Rep. Pelly stating that I have read with interest that the American Farm Bureau Federation "supports congressional control over foreign aid expenditures." p. A5414

20. FARM PROGRAM. Extension of remarks of Rep. Rousselot inserting the Young Republican National Federation platform including sections on agriculture, fiscal policy, and labor. pp. A5344-5, A5345-6
21. SAFETY. Extension of remarks of Sen. Humphrey inserting his recent address at the President's Safety Awards Ceremony. pp. A5348-9
22. RESEARCH. Extension of remarks of Sen. Metcalf inserting Interior Secretary Udall's statement before the House Interior Committee on the saline water conversion program. pp. A5366-7
23. CENTENNIAL. Extension of remarks of Rep. Findley inserting an Ill. State senate resolution concerning the proposed celebration of the land-grant colleges and State universities. p. A5372
24. MEAT PRICES. Extension of remarks of Rep. Harvey inserting an article, "How Come? -- 26 Cents On Hoof, \$1.04 A Pound At Meat Counter." p. A5373
25. RURAL COUNTIES. Extension of remarks of Rep. Schwengel expressing his approval of proposals to aid small towns and rural counties and inserting an article, "A Proposal To Assist Towns, Both Large and Small." pp. A5376-7
26. RECREATION. Extension of remarks of Rep. Ullman inserting an article, "Needed: Space To Play," and stating that it points out the increasing importance of outdoor recreation and indicates some of the factors which confirm that this is an area of national responsibility. pp. A5377-9
27. WATER POLLUTION. Extension of remarks of Rep. Blatnik inserting a report of the Committee on Industrial and Municipal Water Use and Pollution Abatement to the National Rivers and Harbors Congress. pp. A5379-80
28. SMALL BUSINESS. Extension of remarks of Rep. Evins inserting the first report of the House Select Committee on Small Business highlighting important activities and accomplishments of the committee. pp. A5405-7

BILLS INTRODUCED

29. BANKING. S. 2264, by Sen. Javits, to provide for the continuation of the Export-Import Bank for an additional 5 years; to Banking and Currency Committee. Remarks of author. pp. 11725-6
30. NATIONAL FLOWER. S. J. Res. 118, by Sen. Keating (for himself and others), designating the rose as the national flower of the United States; to Judiciary Committee. Remarks of Sen. Keating. p. 11727
31. CCC. H. R. 8176, by Rep. Spence, to authorize annual appropriation to reimburse Commodity Credit Corporation for net realized losses sustained during any fiscal year in lieu of annual appropriations to restore capital impairment based on annual Treasury appraisals; to Banking and Currency Committee. Remarks of author. p. 11825

ing to be added to the new Smithsonian Institution? At one time it was proposed to erect, if I remember correctly, a separate building. I opposed that, and stopped it under a unanimous consent request.

Now, do I understand that this is to be located within the new Smithsonian Institution, or in a structure to be added to the new Smithsonian Institution?

Mr. JONES of Missouri. Mr. Speaker, if the gentleman will yield, I will be glad to attempt to answer his question.

Mr. GROSS. I yield to the gentleman from Missouri.

Mr. JONES of Missouri. The bill is not authorizing construction of any new building. I have the assurance of the author of the bill, who is a member of the Board of Regents of the Smithsonian Institution, and I can assure the gentleman that the author has assured me that this bill is actually an insurance against the particular thing to which the gentleman objects.

Mr. GROSS. Mr. Speaker, I thank the gentleman, and withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby established in the Smithsonian Institution a National Armed Forces Museum Advisory Board (hereinafter referred to as the Board), which shall provide advice and assistance to the Regents of the Smithsonian Institution on matters concerned with the portrayal of the contributions which the Armed Forces of the United States have made to American society and culture.

(b) The Board shall be composed of eleven members, as follows:

(1) The Secretary of Defense, who shall serve as an ex officio member;

(2) The Secretary of the Smithsonian Institution, who shall serve as an ex officio member;

(3) Nine members appointed by the President, (A) three of whom shall be appointed from persons recommended by the Secretary of Defense to represent the Armed Forces, and (B) two of whom shall be appointed from among persons recommended by the Regents of the Smithsonian Institution. Not less than two members appointed by the President shall be from civilian life.

(c) Members of the Board appointed by the President shall be appointed to serve for a period of six years; except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term and the terms of office of the members first appointed shall expire, as designated by the President at the time of appointment, three at the end of two years, three at the end of four years, and three at the end of six years.

(d) Five members of the Board shall constitute a quorum and any vacancy in the Board shall not affect its power to function.

(e) The members of the Board shall serve without compensation but shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Board.

(f) The Board shall select officers from among its members biennially and shall make such bylaws, rules, and regulations as it deems necessary for the furtherance of its business.

SEC. 2. (a) The Smithsonian Institution shall commemorate and display the contributions made by the military forces of the Nation toward creating, developing, and maintaining a free, peaceful, and independent society and culture in the United States of America. The valor and sacrificial service of the men and women of the Armed Forces shall be portrayed as an inspiration to the present and future generations of America. The demands placed upon the full energies of our people, the hardships endured, and the sacrifice demanded in our constant search for world peace shall be clearly demonstrated. The extensive peacetime contributions the Armed Forces have made to the advance of human knowledge in science, nuclear energy, polar and space exploration, electronics, engineering, aeronautics, and medicine shall be graphically described. The Smithsonian Institution shall interpret through dramatic display significant current problems affecting the Nation's security. It shall be equipped with a study center for scholarly research into the meaning of war, its effect on civilization, and the role of the Armed Forces in maintaining a just and lasting peace by providing a powerful deterrent to war. In fulfilling its purposes, the Smithsonian Institution shall collect, preserve, and exhibit military objects of historical interest and significance.

(b) The provisions of this Act in no way rescind Public Law 722, Seventy-ninth Congress, approved August 12, 1946, which established the National Air Museum of the Smithsonian Institution, or any other authority of the Smithsonian Institution.

SEC. 3. (a) The Board of Regents of the Smithsonian Institution is authorized and directed, with the advice and assistance of the Board, to investigate and survey lands and buildings in and near the District of Columbia suitable for the display of military collections. The Board of Regents of the Smithsonian Institution shall, after consulting with and seeking the advice of the Commission on Fine Arts, the National Capital Planning Commission, and the General Services Administration, submit recommendations to the Congress with respect to the acquisition of lands and buildings for such purpose.

(b) Buildings acquired pursuant to recommendations made under subsection (a) of this section shall be used to house public exhibits and study collections that are not appropriate for the military exhibits of the Smithsonian Institution on the Mall in the District of Columbia. Facilities shall be provided for the display of large military objects and for the reconstruction, in an appropriate way, on lands acquired pursuant to recommendations made under subsection (a) of this section, of exhibits showing the nature of fortifications, trenches, and other military and naval facilities characteristic of the American colonial period, the War of the Revolution, and subsequent American military and naval operations.

SEC. 4. The heads of executive departments and independent agencies of the Government are authorized to transfer or loan to the Smithsonian Institution for its use without charge therefor military, naval, aeronautical, and space objects, equipment and records for exhibition, historical, or other appropriate purposes.

SEC. 5. There are hereby authorized to be appropriated to the Smithsonian Institution such sums as may be necessary for the purposes of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REPRESENTATION ON THE JUDICIAL CONFERENCE

The Clerk called the bill (H.R. 176) to amend section 331 of title 28 of the United States Code so as to provide for representation on the Judicial Conference of the United States.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of the first paragraph of section 331 of title 28 of the United States Code is amended to read as follows:

"The Chief Justice of the United States shall summon annually the chief judge of each judicial circuit, the chief judge of the Court of Claims, the chief judge of the Court of Customs and Patent Appeals, the chief judge of the Customs Court, and a district judge from each judicial circuit to a conference at such time and place in the United States as he may designate."

SEC. 2. The third paragraph of section 331 of title 28 of the United States Code is amended to read as follows:

"If the chief judge of any circuit or the district judge chosen by the judges of the circuit is unable to attend, the Chief Justice may summon any other circuit or district judge from such circuit. If the chief judge of the Court of Claims, or the chief judge of the Court of Customs and Patent Appeals, or the chief judge of the Customs Court is unable to attend, the Chief Justice may summon an associate judge of such court. Every judge summoned shall attend and, unless excused by the Chief Justice, shall remain throughout the sessions of the conference and advise as to the needs of his circuit or court and as to any matters in respect of which the administration of justice in the courts of the United States may be improved."

With the following committee amendments:

1. On page 1, lines 9 and 10, strike "the chief judge of the Customs Court".

2. On page 2, line 10, strike ", or the chief judge of the Customs Court".

3. At the end of section 2, add the following new section:

"SEC. 3. The second paragraph of section 605 of title 28, United States Code, is amended to read as follows:

"Such estimates shall be approved, before presentation to the Bureau of the Budget, by the Judicial Conference of the United States, except that the estimate with respect to the Customs Court shall be approved by such court."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed; and a motion to reconsider was laid on the table.

AMENDMENT OF WATERSHED PROTECTION AND FLOOD PREVENTION ACT

The Clerk called the bill (H.R. 3462) to amend the Watershed Protection and Flood Prevention Act to permit certain

new organizations to sponsor works of improvement thereunder.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last paragraph of section 2 of the Watershed Protection and Flood Prevention Act is amended by inserting immediately before the period at the end thereof the following: "; or any irrigation or reservoir company, water users' association, or similar organization having such authority that may be approved by the Secretary".

With the following committee amendment:

Page 1, line 8, after the word "authority" insert "and not being operated for profit".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 650) to amend the Watershed Protection and Flood Prevention Act to permit certain new organizations to sponsor works of improvement thereunder.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last paragraph of section 2 of the Watershed Protection and Flood Prevention Act is amended by inserting immediately before the period at the end thereof the following: "; or any irrigation or reservoir company, water users' association, or similar organization having such authority that may be approved by the Secretary".

Mr. JONES of Missouri. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JONES of Missouri: Strike out all after the enacting clause and insert the provisions of H.R. 3462 as passed, as follows:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last paragraph of section 2 of the Watershed Protection and Flood Prevention Act is amended by inserting immediately before the period at the end thereof the following: "; or any irrigation or reservoir company, water users' association, or similar organization having such authority and not being operated for profit that may be approved by the Secretary."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 3462) was laid on the table.

Secretary of Agriculture to establish minimum standards of quality for any variety of grapes and plums covered by such act, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. HAGEN of California. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 1462, be considered in lieu of the House bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There being no objection, the Clerk read the Senate bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act of September 2, 1960 (74 Stat. 734), is amended by (1) inserting "of any variety" immediately after "any grapes or plums", and (2) inserting "for such variety" immediately after "established"

Sec. 2. Section 4 of such Act is amended to read as follows:

"Sec. 4. The Secretary may, by regulation, exempt from compliance with the provisions of this Act (1) any variety or varieties of grapes and plums, and (2) the shipment of such minimum quantities of grapes and plums to any foreign country as he may prescribe."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 6253) was laid on the table.

APPEALS FROM THE SUPREME COURT OF PUERTO RICO

The Clerk called the bill (H.R. 7038) to eliminate the right of appeal from the Supreme Court of Puerto Rico to the Court of Appeals for the First Circuit.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 81 of title 28, United States Code, is amended by inserting therein immediately after section 1257 of such title an additional section reading as follows:

"§ 1258. Supreme Court of Puerto Rico; appeal; certiorari

"Final judgments or decrees rendered by the Supreme Court of the Commonwealth of Puerto Rico may be reviewed by the Supreme Court as follows:

"(1) By appeal, where is drawn in question the validity of a treaty or statute of the United States and the decision is against its validity.

"(2) By appeal, where is drawn in question the validity of a statute of the Commonwealth of Puerto Rico on the ground of its being repugnant to the Constitution, treaties, or laws of the United States, and the decision is in favor of its validity.

"(3) By writ of certiorari, where the validity of a treaty or statute of the United States is drawn in question or where the validity of a statute of the Commonwealth of Puerto Rico is drawn in question on the ground of its being repugnant to the Constitution, treaties, or laws of the United States, or where any title, right, privilege, or immunity is specially set up or claimed under the Constitution, treaties, or statutes of,

or commission held or authority exercised under, the United States."

SEC. 2. The analysis of chapter 81 of title 28, United States Code, immediately preceding section 1251 of such title, is amended by inserting at the end thereof immediately following item 1257 an additional item, reading as follows:

"1258. Supreme Court of Puerto Rico; appeal; certiorari."

SEC. 3. Section 1293 of title 28, United States Code, is repealed: *Provided*, That such repeal shall not deprive the Court of Appeals for the First Circuit of jurisdiction to hear and determine appeals taken to that court from the Supreme Court of Puerto Rico before the effective date of this Act.

SEC. 4. Item 1293 is stricken from the analysis of chapter 83 of title 28, United States Code, immediately preceding section 1291 of such title.

SEC. 5. Section 1294 of title 28, United States Code, is amended by striking out paragraph (4) thereof reading as follows:

"(4) From the Supreme Court of Puerto Rico, to the Court of Appeals for the First Circuit;"

and by renumbering paragraph (5) thereof as paragraph (4).

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TENURE FOR JUDGES OF THE U.S. DISTRICT COURT OF PUERTO RICO

The Clerk called the bill (H.R. 6902) to provide the same life tenure and retirement rights for judges hereafter appointed to the U.S. District Court for the District of Puerto Rico as the judges of all other U.S. district courts now have.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 134 of title 28, United States Code, is amended to read as follows: "(a) The district judges shall hold office during good behavior."

SEC. 2. The first paragraph of section 373 of title 28, United States Code, is amended by striking out the words "the United States District Court for the District of Puerto Rico."

SEC. 3. The second paragraph of section 451 of title 28, United States Code, is amended by striking out the words "the United States District for the District of Puerto Rico."

SEC. 4. The amendments made by this section to sections 134 and 373 of title 28, United States Code, shall not affect the tenure of office or right to continue to receive salary after resignation, retirement, or failure of reappointment of any district judge for the district of Puerto Rico who is in office on the date of enactment of this Act.

Mr. CELLER. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CELLER of New York: On page 2, line 7, strike the word "section" and insert in lieu thereof the word "Act."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT TO GRAPE AND PLUM EXPORT ACT

The Clerk called the bill (H.R. 6253) to amend the act of September 2, 1960 (74 Stat. 734), in order to authorize the



Public Law 87-105
87th Congress, S. 1462
July 26, 1961

An Act

75 STAT. 220.

To amend the Act of September 2, 1960 (74 Stat. 734), in order to authorize the Secretary of Agriculture to establish minimum standards of quality for any variety of grapes and plums covered by such Act, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act of September 2, 1960 (74 Stat. 734), is amended by (1) inserting "of any variety" immediately after "any grapes or plums", and (2) inserting "for such variety" immediately after "established".

Grapes and
plums, stand-
ards.
Foreign trade.
7 USC 591-599.

SEC. 2. Section 4 of such Act is amended to read as follows:

"SEC. 4. The Secretary may, by regulation, exempt from compliance with the provisions of this Act (1) any variety or varieties of grapes and plums, and (2) the shipment of such minimum quantities of grapes and plums to any foreign country as he may prescribe."

Approved July 26, 1961.

